

68904 U.S. PTO

02/04/97

1802

PATENT
Attorney Docket No. 2356.0074-00

NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:)
Agnes LABIGNE et al.)
Serial No.: 08/211,312) Group Art Unit: 1802
Filed: July 1, 1994) Examiner: N.M. Minnifield

#17
RECEIVED
FEB 27 1997
GROUP 180
notice of appeal

For: GENES OF HELICOBACTER PYLORI NECESSARY FOR THE REGULATION
AND MATURATION OF UREASE AND THEIR USE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from
the decision dated September 4, 1997 of the Examiner finally rejecting claims 18, 19,
37-39.

The item(s) checked below are appropriate:

1. [X] A Petition for extension of time to respond to the final rejection was filed on
January 2, 1997 extending the period for response to February 4, 1997.
2. [] A Petition for extension of time to further extend the period for response to
_____ is enclosed together with a fee of \$_____
3. [X] The Appeal Fee of \$300.00 (or \$150.00 if by small entity)

[] is enclosed or [X] is to be charged to Deposit Account No. 06-0916

4. [] A check for \$_____ to cover the above fees is enclosed.

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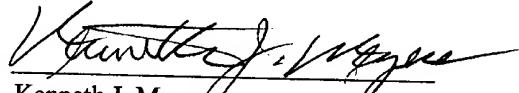
Serial No.: 08/211,312

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By:



Kenneth J. Meyers
Reg. No. 25,146

Dated: February 4, 1997

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